

Dunn County Livestock Operations Study Group Opportunities April 27, 2017

To assist the LOSG in making recommendations, the following is a compilation of opportunities for consideration. These opportunities were largely taken from presentations and report summaries, but are not intended to represent a complete listing.

Staff provided an example with recommendations titled “ **Preliminary Opportunities and Recommendations**”, in that document it is staff’s intent to show how the Opportunities and recommendations could be organized/re-worded to better describe the thought behind a specific opportunity. Our examples should **NOT** be construed to be final language, but are a guide for your use.

Important Note: Since the list of Opportunities below may not necessarily represent a full and complete listing, you can add, delete and/or change any statement to better reflect your understanding and viewpoint. You may find that an opportunity is actually a recommendation (in some cases staff found this to be true) or you may find that an opportunity is really two separate thoughts and needs to be split (in some cases staff found this to be true). You may even find that in one instance a statement can be an opportunity, and in a different instance, it can be a recommendation or you may find that a recommendation should be repeated for a different opportunity (in some cases staff found this to be true). The point is, at this stage of the process there are no right or wrong statements, and everything will be brought to the study group for discussion and consensus.

Prior to the final report being issued staff will confer with legal counsel.

PLEASE ADD, DELETE AND/OR CHANGE ANY OF THE FOLLOWING STATEMENTS BELOW TO REFLECT YOUR UNDERSTANDING AND VIEWPOINT.

I COUNTY & COMMUNITY PLANNING, STUDY, OR MONITORING		
Clarification Needed?	Opportunities	Citation
1. General Planning		

	A. Create maps and monitor WPDES “restrictive features” to identify trends, and concerns such as: environmentally sensitive areas and susceptible soils in the County.	Nichol, Baeten, O'Rourke 2/16/2017 Thiboldeaux 2/2/2017 Bergeson
	B. Incorporate “restrictive features”, environmentally sensitive areas, and at-risk groundwater areas into the Dunn County Comprehensive Plan	

2. Groundwater-Specific

	A. Establish a Dunn County baseline groundwater baseline quality and quantity that can be used to track and evaluate the potential impacts of policy changes, best management practices, etc.	Masarik 1/6/2017; Bonness 2/2/2017
	B. Create a public clearinghouse/one-stop-shop for well-, ground-, surface and other water related data, trends, maps, NMP, soil- and other tests and reports.	Bergeson 3/16/2017
	C. Continue to develop and maintain a County-wide level well database identifying and tracking groundwater quality and quantity trends over time. Conduct additional well testing with an initial prioritization of high-risk groundwater areas.	Bergeson 3/16/2017
	D. Develop a GIS-based mapping program that includes GPS locations of old and new wells, well test data, nutrient management planning, BMP, and permitting.	Bergeson 3/16/2017
	E. Develop a Town-based well testing program.	Masarik

		1/6/2017
	F. Define and prioritize map at-risk groundwater areas.	Masarik 1/6/2017
	G. Incorporate WDNR Groundwater Study into a report.	Bonness 2/2/2017
	H. Develop a hydrological groundwater model for Dunn County to track depth of groundwater, sources of contamination, and groundwater movement.	new
	I. Establish a relationship with the Wisconsin certified testing laboratories that would expand our water sample results to develop our water quality database.	Bergeson 3/16/2017
	J. Work with the DNR water testing laboratory to expand water sample test to represent a complete analysis.	Bergeson 3/16/2017
3. Other		
	A. Create a map and database to monitor Identify, map, and evaluate of the sources of manure and where manure it is currently being spreading and the sources of manure.	Masarik 1/6/2017
	B. Develop a livestock operations complaints process to track, monitor, and regulate livestock operation non-compliances and issues such as odor, public health, manure spills, etc.	Bonness 2/2/2017
	C. Identify current regulatory non-compliances in Dunn County.	Nichol, Baeten, O'Rourke 2/16/2017

RULES, REGULATIONS, PERMITTING, AND COMPLIANCE		
Clarification Needed?	Opportunities	Citation
1. Regulatory Tools <i>Overall, what mix of tools is best for Dunn County?</i>		
	A. Develop a Dunn County <i>Stormwater Erosion Control Ordinance</i> .	Prestebak 1/22/2017
	B. Adopt a County operations licensing ordinance that focuses on the operation, and not siting.	Fischback 3/2/2017
	C. Evaluate whether Dunn County should regulate livestock operations through livestock facilities siting Zoning Ordinance or through livestock licensing approach, and explore the feasibility of combining multiple related county ordinances under a single ordinance.	Clayton 1/22/2017; Bonness 2/2/2017 Fischback 3/2/2017
	D. Create and adopt a nuisance-style Public Health Groundwater Protection Ordinance under State public health and/or “police power” authority.	Bonness 2/2/2017
	E. Amend the County zoning ordinance to include additional standards for livestock siting standards and size. Create Explore more stringent siting standards supported by scientific facts that there is a threat to public health and safety.	Fischback 3/2/2017 Clayton 1/22/2017

		Thiboldeaux 2/2/2017
	F. Evaluate the Dunn County Comprehensive Plan and Zoning Ordinance to determine if large livestock facilities should be limited to specific agricultural zoning districts based on community goals, local conditions and findings of fact.	Clayton 1/22/2017
	G. Adopt an impaired watershed or high-risk area-specific ordinance. with findings of fact and special requirements (e.g., spreading windows, incorporation, storage capacity, annual Phosphorus Index).	Fischback 3/2/2017
	H. Work with Towns that decide to adopt ordinances and County zoning.	Bonness 2/2/2017
	I. Adopt a Public Health livestock disease outbreak ordinance with monitoring, containment, and mass casualty in the event of a livestock influenza, viral, or disease outbreak.	Fischback 3/2/2017
2. Regulatory Standards – Manure and Nutrient Management Specific <i>May apply to 1 or more tools.</i>		
	A. Require proof that additional documentation when granting a permit/license such as: proof adequate land is available for land spreading, a nutrient management plan is in place, and records of compliance as part of the manure licensing permitting process.	Clayton 1/22/2017
	B. County regulations should be compliant with newer NRCS 590 standard.	Clayton 1/22/2017
	C. Modify the County manure management ordinance to include additional nitrate standards.	Masarik 1/6/2017

	D. Define terms for manure storage such as: altered, mismanaged, and malfunctioning.	Prestebak 1/22/2017
	E. Increase the use of draglines for the transportation and injection of manure, if done properly, is maintained, and does not impact drainage or sensitive areas.	Fischback 3/2/2017
	F. Develop a permitting process for draglines in the right-of-ways, through culverts, or crossing navigable waters at the Town and County level.	Nichol, Baeten, O'Rourke 2/16/2017
	G. Require precision application/injection as part of an operation permit for large livestock operations.	Pittman 3/16/2017
	H. Require a flow meter and GPS device to be installed on dragline equipment to monitor compliance with NMP.	Pittman 3/16/2017
	I. Amend NRCS standards to require 5,000 cubic ft of storage.	Fischback 3/2/2017
	J. Explore requiring well testing. Implement baseline well testing in proximity to CAFOs and pursue ongoing testing to ensure that water quality standards are being met .	Bergeson 3/16/2017
	K. Adopt a Transportation Impact Assessment (TIA) policies and procedures that would include livestock operations.	Rintala 3/2/2017
	L. Explore more stringent siting standards supported by scientific facts that there is a threat to public health and safety.	Clayton 1/22/2017 Thiboldeaux 2/2/2017

3. Regulatory Standards - Other <i>What other specific standards or policy changes are desired? May apply to 1 or more tools.</i>		
	A. Increase the Dunn County Human Health Hazard ordinance (254) water testing scope to include testing for sensitive areas.	Thiboldeaux 2/2/2017
	B. Tie County regulatory policies to “restrictive features” and environmentally sensitive areas.	Nichol, Baeten, O’Rourke 2/16/2017
	C. Develop Water Quality Management Areas.	Prestebak 1/22/2017
	D. Require backflow prevention for wells, spickets, etc.	Masarik 1/6/2017
4. Regulatory Administration and Enforcement		
	A. Consider a “use permit” approach that is issued after an inspection and review of as-builts.	Prestebak 1/22/2017
	B. Pursue citation authority for LCD and Zoning.	Prestebak 1/22/2017
	C. Monitor and enforce nutrient management plan compliance and odor management practices.	Clayton 1/22/2017; Prestebak 1/22/2017
	D. Monitor and enforce odor management practices	Clayton 1/22/2017;

	E. Amend fees options to help cover true costs of permitting and compliance.	Prestebak 1/22/2017
	F. Update Dunn County ordinances regarding penalties and fines for non-compliance.	Clayton 1/22/2017
	G. Monitor and conduct manure hauling audits.	Nichol, Baeten, O'Rourke 2/16/2017 Bonness 2/2/2017
	H. Adopt a resolution requesting a public hearing for all WPDES permits.	Nichol, Baeten, O'Rourke 2/16/2017
	I. Explore enforcing additional standards for small farm operations.	Fischback 3/2/2017

BEST PRACTICES AND PROGRAMMING

Clarification Needed?	Opportunities	Citation
1. Agriculture and Farming BMPs and Programming		
	A. Identify and track existing BMPs , and explain why they are being utilized: such as: incentives, being a good neighbor, regulatory requirement, etc.).	Thiboldeaux 2/2/2017

	B. Promote the use of cover crops, nutrient management plans, and other agricultural BMPs.	Masarik 1/6/2017
	C. Work with producers to encourage soil health BMPs to increase infiltration and reduce runoff.	Zerr 3/30/2017
	D. Establish manure management procedures with the DNR.	Prestebak 1/22/2017
	E. Promote third party review of NMPs..	Prestebak 1/22/2017
	F. Encourage odor management plans and better controls that could include incentives.	Clayton 1/22/2017
	G. Reduce pathogens and pollutants. Promote and enable new technologies such as digesters as a method of reducing pathogens and pollution.	Thiboldeaux 2/2/2017 Fischback 3/2/2017
	H. Landowners can write their own NMPs. Promote NMP class at the CVTC.	Nichol, Baeten, O'Rourke 2/16/2017
	I. Explore, promote, and evaluate the feasibility of cost- or equipment-sharing of precision application/injection of manure and fertilizers and other BMPs for small and large farm operations.	Pittman 3/16/2017 Fischback 3/2/2017 WI Air Advisory Group
	J. Promote NMP because its practices further as it supports TMDL, even though it is a point source.	Zerr 3/30/2017

2. Other		
	A. Educate jurisdictions and the public on well testing, wellhead protection, well maintenance, well treatment options, and proper well abandonment.	Masarik 1/6/2017 Bergeson 3/16/2017
	B. Provide the public with well treatment options and their effectiveness	Bergeson 3/16/2017
	C. Septic system maintenance and replacement.	Masarik 1/6/2017
	D. Explore water quality trading options and adaptive management.	Fischback 3/2/2017
	E. Identify, locate, and decommissioned and abandoned wells.	Fischback 3/2/2017
	F. Encourage WDNR to develop TMDLs for other impaired waters and sub-watersheds.	Zerr 3/30/2017
	G. Promote TMDL and 9 Key Element Plans to identify and Improve surface waters of Dunn County.	Zerr 3/30/2017
	H. Promote and support the implementation of the Red Cedar River Watershed Plan and similar plans such as the Dunn County Land and Water Plan and TMDL plans/studies.	Zerr 3/30/2017
EDUCATION, COMMUNICATIONS, AND OTHER		

Clarification Needed?	Opportunities	Citation
1. Agriculture and Farming Related		
	A. Clarify and educate the public and local officials on the different setback standards related to livestock operations.	Masarik 1/6/2017 Clayton 1/22/2017
	B. Promote the Annual CAFO Conference.	Prestebak 1/22/2017
	C. Create a Dunn County CAFO/Livestock Operations group.	Prestebak 1/22/2017
	D. Educate the public and local officials on modern farm operations such as: manure application/injection practices, manure application rates, and the Right-to-Farm law protecting farm operations with events such Farm Days.	Thiboldeaux 2/2/2017 Pittman 3/16/2017 Straight 3/30/2017 Prestebak 1/22/2017
	E. Educate the public and local elected officials on NMPs, CAFO, and WPDES permitting requirements.	Nichol, Baeten, O'Rourke 2/16/2017
	F. Expand and promote emphasis of NMP education to include contracted manure haulers and spreaders.	Nichol, Baeten, O'Rourke 2/16/2017

2. Well & Groundwater Related		
	A. Educate jurisdictions and public on sources of drinking water and associated risks.	Masarik 1/6/2017
	B. Educate the public and local officials on well testing, wellhead protection, well maintenance, well treatment options, and proper well abandonment.	Masarik 1/6/2017
	C. Provide information and maps to the public on well-related data, trends, and risks.	Bergeson 3/16/2017
	D. Provide information to well drillers on groundwater susceptibility, geology features, and static groundwater depth. Provide information to well drillers on high risks areas, known bedrock features, etc.	Bergeson 3/16/2017
	E. Inform the public and local officials about health codes, water testing requirements, and procedures for pregnant women, children, and plumbers.	Thiboldeaux 2/2/2017
	F. Provide educational materials to landowners on well siting.	Masarik 1/6/2017
3. Other		

	A. Educate the public and local elected officials on environmentally sensitive areas.	Nichol, Baeten, O'Rourke 2/16/2017
	B. Create a public clearinghouse/one-stop-shop for well-, ground-, surface and other water related data, trends, maps, NMP, soil- and other tests, and reports.	Bergeson 3/16/2017 Nichol, Baeten, O'Rourke 2/16/2017 Bonness 2/2/2017
	C. Developing a gis interactive map available to the public.	Bergeson 3/16/2017
	D. Inform residents of soil testing results in susceptible areas to provide transparency on water quality issues and concerns.	Bergeson 3/16/2017